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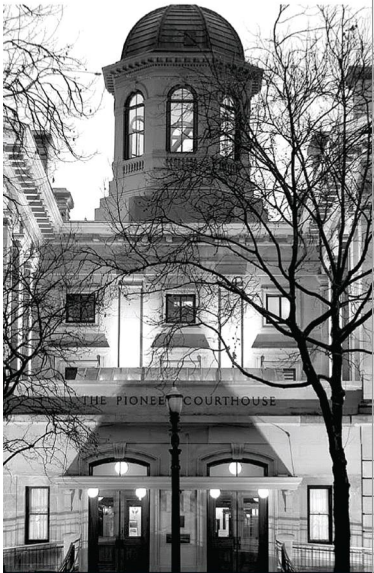
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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII**

ANDREW TETER and JAMES GRELL,

Plaintiffs,

vs.

CASE NO. 152-11223

CLARE E. CONNORS, in her Official
Capacity as the Attorney General
of the State of Hawaii and AL CUMMINGS,
in his Official Capacity as the State
Sheriff Division Administrator,

Defendants.

DEPOSITION OF

ROBIN NAGAMINE

**TAKEN ON
MONDAY, OCTOBER 28, 2019
12:04 P.M.**

**ATTORNEY GENERAL'S OFFICE
425 QUEEN STREET
HONOLULU, HAWAII 96813**

Exhibit "E"

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3 APPEARING ON BEHALF OF THE DEFENDANT:	3
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<p>6</p> <p>1 DEPOSITION OF 2 ROBIN NAGAMINE 3 TAKEN ON 4 MONDAY, OCTOBER 28, 2019 5 12:04 P.M. 6 7 THE REPORTER: Mr. Nagamine, please raise 8 your right hand. 9 ROBIN NAGAMINE, was having been duly sworn, was 10 examined and testified as follows: 11 THE REPORTER: Counsel, if you could 12 introduce yourself and state whom you represent. 13 MR. AKAMINE: Ryan Akamine for defendants, 14 Clare Connors and Al Cummings, in their official 15 capacities. 16 MR. STAMBOULIEH: Stephen Stamboulieh for 17 the plaintiffs, Andrew Teter and James Grell. 18 MR. BECK: Alan Beck for the plaintiffs, 19 James Grell and Andrew Teter. 20 THE REPORTER: Perfect, you can begin. 21 EXAMINATION 22 BY MR. STAMBOULIEH: 23 Q. All right. And you're Lieutenant Robin 24 Nagamine? 25 A. Yes, that's correct.</p>	<p>8</p> <p>1 to you, is that you answer it before you take your 2 break. If, for some reason, I talk too fast or 3 whatever, please let me know, and I'll do my best to 4 slow down. 5 If I ask a question that you don't 6 understand, please don't answer it. I want to make 7 sure that you understand the question that I ask. 8 Because if we get to a trial and I have your 9 deposition, and you've answered a question that I've 10 asked, I'm going to assume that you understood it. 11 And there could be an issue there. So if for any 12 reason, you don't understand my question, please 13 tell me to stop, that you don't understand, or 14 rephrase, and I'll do my best to accommodate that. 15 Other than that, those are pretty much the 16 only rules. Did you have any questions about those? 17 A. Oh, no, I'm fine. 18 Q. Okay. Great. So can you tell me -- I 19 heard you introduce yourself as Lieutenant earlier. 20 What is your job duty? 21 A. I'm a deputy sheriff. I'm a Lieutenant. 22 And I'm currently in charge of the records section. 23 Q. And what does that mean, the records 24 section? 25 A. It's our electronic report system,</p>
<p>7</p> <p>1 Q. My name is Stephen Stamboulieh. This is 2 my co-counsel, Alan Beck. We represent the 3 plaintiffs. Have you ever given a deposition 4 before? 5 A. Yes. 6 Q. Okay. Excellent. How many have you 7 given? 8 A. About five. 9 Q. Oh, nice. Okay. I'm sure everyone has 10 their own style. I live in Mississippi, so my style 11 might be a little bit different than what you're 12 used to. I have just a couple of ground rules. 13 First off, we're not going to be here very long, I 14 don't think. Some depositions last longer than 15 others, depending on what information you have for 16 us, I don't expect yours to take very long at all. 17 But just in case, I'll go over some of the ground 18 rules. 19 Anytime you need to take a break, go to 20 the restroom, get a water, whatever you need, just 21 let -- we're here at your convenience, so feel free 22 whenever you need to take a break. 23 A. Okay. 24 Q. The only thing that I ask is that if I 25 have a question on the table, a question presented</p>	<p>9</p> <p>1 evidence, and the receiving desk where we book 2 people that get arrested. 3 Q. Okay. So you would be responsible for all 4 of the electronic records for someone who was 5 arrested and booked in the jail? 6 A. The reports. 7 Q. Oh, the reports. 8 A. Yeah, the police reports. 9 Q. So let's, hypothetically, if someone was 10 arrested for carrying a gun illegally, in your 11 territory, you would be responsible for filing that 12 report or taking that report? 13 A. The deputies that take the case would file 14 the report. It would come into our servers, and I 15 oversee the server. 16 Q. I understand. And how long have you been 17 working in that capacity over the servers? 18 A. From 2017. 19 Q. Okay. What did you do prior to that? 20 A. I was a lieutenant of the circuit court, 21 First Circuit Court. 22 Q. Can you explain to someone that's not from 23 here what that means? 24 A. It's the First Circuit Court building, so 25 they do all the felony cases there. The grand jury</p>

<p style="text-align: right;">10</p> <p>1 sits there. They do civil cases there. I oversaw 2 patrol section, which handled uniformed deputies in 3 the courthouse and the surrounding areas. 4 Q. Okay. 5 A. And also deputies in the cellblock where 6 we move custodies to go to trials and hearings, 7 motions, and whatnot. 8 Q. And you're a sworn law enforcement 9 officer? 10 A. Yes, I am. 11 Q. Carry a gun? 12 A. Yes. 13 Q. Okay. What else would you carry, 14 typically, on a normal day? 15 A. OC spray, a baton, radio, handcuffs, first 16 aid -- well, CPR kit. 17 Q. Okay. 18 A. That's about it. 19 Q. Do you carry a Taser? 20 A. I don't have a Taser. 21 Q. Okay. Did you ever carry a Taser. 22 A. No, I did not. 23 Q. Okay. And you said that was Lieutenant of 24 the First Circuit Court? 25 A. Yes.</p>	<p style="text-align: right;">12</p> <p>1 now on. You've handled a butterfly knife? 2 A. Yes. 3 Q. Can you tell me about how long ago that 4 was? 5 A. Oh, a while ago. Years. Many, many years 6 ago. 7 Q. Okay. Do you know that Hawaii bans the 8 butterfly knife? 9 A. Yes, I'm aware of that. 10 Q. Are you aware of when Hawaii banned the 11 butterfly knife? And it's okay if you don't know. 12 It's fine to say, I don't know. 13 A. It was -- well, it's the way the statutes 14 were written. It was banned under different 15 statutes over time. 16 Q. Okay. 17 A. But it has been banned. 18 Q. In your use -- I'm sorry, in your -- I 19 don't want to put words in your mouth, so forgive 20 me. I'm not trying to be tricky here. When you've 21 handled the butterfly knife, tell me a little bit 22 more about that. Were you using it? Were you 23 flourishing it or twirling it? Or were you just 24 carrying it? Or what was the usage of that? 25 A. It was when we recovered it at a scene.</p>
<p style="text-align: right;">11</p> <p>1 Q. Now, are you familiar, generally, here 2 with the subject matter of -- let me ask you this. 3 Do you know why you're here right now? 4 A. Yes, I do. 5 Q. Okay. Are you familiar, generally, with 6 the subject matter of the lawsuit? 7 A. Generally. 8 Q. Okay. You know it's about the butterfly 9 or balisong knife ban in Hawaii? 10 A. Yes. 11 Q. Are you familiar with what a balisong or a 12 butterfly knife is? 13 A. Yes. 14 Q. And in your own words, can you tell us 15 what a butterfly or a balisong knife is? 16 A. It's a knife with a split handle that 17 folds over the blades and can be opened by spreading 18 it around the blades. 19 Q. Okay. Have you ever had the opportunity 20 to use a butterfly or balisong knife? 21 A. I've handled it. I wouldn't say used it. 22 But I'm familiar with it, so I know what it is when 23 I see it. 24 Q. Okay. I appreciate that distinction. 25 You've handled -- and I'll just say butterfly from</p>	<p style="text-align: right;">13</p> <p>1 To verify that it's a butterfly knife, you open it 2 to make sure that it doesn't open like split 3 handles. And if it does, it does, and it's a 4 butterfly knife. 5 Q. Okay. So this would have been after it 6 was banned? 7 A. Yes. 8 Q. Okay. Prior to it's banning, had you ever 9 handled a butterfly knife? 10 A. I'm not sure what that answer -- I don't 11 know when it was originally banned. 12 Q. Okay. That's fair enough. That's fair 13 enough. I'll represent to you, it was in 1999 and 14 2000 that the butterfly was banned. Do you have any 15 recollection, prior to '99 or 2000? 16 A. Yes, prior to that, I think it was all 17 inclusive in the deadly weapon statute. 18 Q. Okay. All inclusive meaning that it was 19 just understood to be banned? 20 A. No, it was listed along with a number of 21 other items, daggers, throwing stars, brass 22 knuckles, switchblades, and butterfly knives. 23 Q. In your current position as deputy sheriff 24 of records, do you have the occasion to see a lot of 25 reports about butterfly knife arrests or --</p>

<p style="text-align: right;">14</p> <p>1 A. I have seen them.</p> <p>2 Q. Do you recall a number?</p> <p>3 A. Well, I think from around the time our</p> <p>4 electronic record systems, 2012, till now, it was</p> <p>5 around 27, 30.</p> <p>6 Q. So this is a report that you recently ran?</p> <p>7 A. I just did a query to see how many</p> <p>8 butterfly knife cases we've done.</p> <p>9 Q. And when did you do that query?</p> <p>10 A. Last week.</p> <p>11 Q. These were cases where people were</p> <p>12 arrested for having the butterfly --</p> <p>13 A. Either arrested, or they're issued a</p> <p>14 criminal citation.</p> <p>15 Q. Okay. And I don't want to get too far</p> <p>16 into the weeds on that, but when someone's arrested,</p> <p>17 obviously they're going to confiscate the butterfly,</p> <p>18 right?</p> <p>19 A. Correct.</p> <p>20 Q. What happens with those butterflies?</p> <p>21 A. It gets put into evidence.</p> <p>22 Q. Okay. From the query that you ran from</p> <p>23 2012 until present, did those go to a trial? Or do</p> <p>24 you even know that information?</p> <p>25 A. I don't track it. Once the report is</p>	<p style="text-align: right;">16</p> <p>1 MR. AKAMINE: Yes.</p> <p>2 THE REPORTER: Yes.</p> <p>3 (Whereupon, Exhibit A was marked.)</p> <p>4 Q. (By Mr. Stamboulieh) Lieutenant, have you</p> <p>5 had the opportunity to review any of the documents</p> <p>6 in this case?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. Can you tell me what you've</p> <p>9 reviewed?</p> <p>10 A. The complaint and the subpoena to Sheriff</p> <p>11 Cummings.</p> <p>12 Q. Okay. Have you reviewed any of the</p> <p>13 response to plaintiff's first set of requests for</p> <p>14 admissions, interrogatories, or document production?</p> <p>15 A. I think I've seen it, but I don't think I</p> <p>16 went over it.</p> <p>17 Q. Okay. Okay. Are you familiar with the</p> <p>18 term switchblade?</p> <p>19 A. Yes.</p> <p>20 Q. Do you know what a switchblade knife is?</p> <p>21 A. Yes.</p> <p>22 Q. Have you ever the opportunity to handle a</p> <p>23 switchblade?</p> <p>24 A. Yes, I have.</p> <p>25 Q. Okay. Can you tell me a little bit about</p>
<p style="text-align: right;">15</p> <p>1 generated, it gets sent to the prosecutor's office.</p> <p>2 And we don't track it after that.</p> <p>3 Q. Understood. You said ti was approximately</p> <p>4 27?</p> <p>5 A. Yeah, around there.</p> <p>6 Q. And I probably jumped too far ahead.</p> <p>7 That's for just the City and County of Honolulu? Or</p> <p>8 is that statewide, Hawaii statewide?</p> <p>9 A. The record system is statewide, but I</p> <p>10 didn't look into specific jurisdictions of each of</p> <p>11 the cases.</p> <p>12 Q. Okay. So that 27 encompasses the entire</p> <p>13 state of Hawaii?</p> <p>14 A. Yes.</p> <p>15 Q. And I'm sorry if I asked that question</p> <p>16 imprecisely. Please tell me if I'm asking it wrong.</p> <p>17 MR. STAMBOULIEH: And just one little bit</p> <p>18 of housekeeping that I forgot to do. it's no</p> <p>19 problem with you, Ryan, I'd like to just enter the</p> <p>20 notices that I filed as Exhibit 1 and 2, even though</p> <p>21 Lieutenant Nagamine is here for both.</p> <p>22 MR. AKAMINE: Both.</p> <p>23 MR. STAMBOULIEH: It would just make me</p> <p>24 feel better to have them in the record, if we could</p> <p>25 just mark that as collective "A," please.</p>	<p style="text-align: right;">17</p> <p>1 what a switchblade is?</p> <p>2 A. It's a knife that opens by a spring</p> <p>3 mechanism for inertia. And basically, you push a</p> <p>4 button and the blade pops out.</p> <p>5 Q. Okay. Is it a pretty fast opening knife?</p> <p>6 A. Yeah.</p> <p>7 Q. Do you know if it's one of the fastest</p> <p>8 opening knives?</p> <p>9 A. I have no idea.</p> <p>10 Q. Okay. Are you familiar with what a</p> <p>11 folding knife is, just a regular folding knife?</p> <p>12 A. Yes.</p> <p>13 Q. And in your own words, can you tell us</p> <p>14 what a folding knife is?</p> <p>15 A. It's a knife where the blade folds into</p> <p>16 the handle.</p> <p>17 Q. Okay. Is that a particularly fast knife</p> <p>18 to open?</p> <p>19 A. I don't know.</p> <p>20 Q. Okay. That's fine. Are you familiar with</p> <p>21 what a wave folder is?</p> <p>22 A. Wave folder, I am not familiar with that</p> <p>23 term.</p> <p>24 Q. Are you familiar with the type of knife</p> <p>25 that has a -- if you don't understand the question,</p>

18

20

1 tell me, and I'll try to make it easier for you -- a
2 knife that when you put it into your pocket, when
3 you draw, the blade automatically comes out?
4 A. I am not familiar with that. I have not
5 seen it.
6 Q. Okay. Great.
7 MR. STAMBOULIEH: Ryan, if it's okay with
8 you, I've got that video that Burton did that we
9 sent to you.
10 MR. AKAMINE: Sure.
11 MR. STAMBOULIEH: Is it okay if I show
12 that witness that?
13 MR. AKAMINE: Yeah, go ahead.
14 MR. STAMBOULIEH: And if you want, we can
15 just go off the record. I've got a short video for
16 you to watch.
17 (Whereupon, a break was taken.)
18 THE REPORTER: We're back on the record.
19 Q. (By Mr. Stamboulieh) Lieutenant, you've
20 had the opportunity to view that video, correct?
21 A. Yes, that's correct.
22 Q. The person in that video, Mr. Burton
23 Richardson, do you know him?
24 A. No, I don't.
25 Q. Ever heard of him?

1 butterfly knife faster than just a regular folding
2 knife?
3 A. I'm not sure. I mean, I've saw some
4 videos of -- who's that martial artist, Danny --
5 Filipino martial artist?
6 MR. AKAMINE: Inosanto?
7 A. Yeah, Inosanto. I've seen videos of that,
8 and he seemed pretty impressive.
9 Q. (By Mr. Stamboulieh) Okay. Inosanto, can
10 you spell his --
11 A. Dan Inosanto.
12 Q. I-n-o-s-a-n-t-o?
13 A. That's my closest guess.
14 Q. Okay. That sounds --
15 A. He's a well known --
16 MR. BECK: It's Burton's instructor.
17 MR. STAMBOULIEH: Oh, gotcha.
18 MR. BECK: It's Burton's instructor.
19 MR. AKAMINE: Oh, is it? Okay. Yeah.
20 I've seen videos.
21 MR. BECK: Yeah.
22 Q. (By Mr. Stamboulieh) Perfect. Are you
23 familiar what the term "bearable arm" is?
24 A. No.
25 Q. Okay. You, in your normal course and

19

21

1 A. No.
2 Q. Okay. Do you have any thoughts, overall,
3 about the video that you just watched?
4 A. No, not really.
5 Q. Okay. Did you see how the wave folder --
6 which we were speaking about earlier -- did you see
7 how much faster it opened than the balisong knife?
8 A. Yes.
9 Q. Again, you don't have any personal
10 knowledge of the wave folder?
11 A. No.
12 Q. Okay. The regular folding knife, though,
13 you do know what that is?
14 A. Yes.
15 Q. And did you see, in that video, how much
16 faster the regular folding knife opened than the
17 butterfly knife?
18 A. Yes.
19 Q. In your experience or your handling of a
20 butterfly knife, could you manipulate that butterfly
21 knife faster than what you saw in the video?
22 A. I don't know. I've handled it, but not in
23 that manner.
24 Q. Okay. Have you ever seen -- and you might
25 not, and it's okay -- anyone having opened the

1 duty, would carry a side arm, correct?
2 A. Correct.
3 Q. Okay. Would you agree with me that that's
4 an arm that's -- that's a firearm, right?
5 A. It's a firearm.
6 Q. Does the term "arm," when someone says, I
7 keep and bear arms -- and I'm not getting into a
8 legal distinction with you -- but do you understand
9 generally what an arm is, like a firearm?
10 A. I see arms as a firearm.
11 Q. Okay. Does that mean that you don't see
12 arms as knives, batons, other things like that?
13 A. That would be considered -- well, I'm not
14 sure, because I'm not talking about the legal terms
15 of it.
16 Q. Okay.
17 A. But to me, if you're armed, it could be
18 anything. If it's something that can be used as a
19 weapon to harm others -- it could be a stick.
20 Q. Right.
21 A. It depends on its intended use. When I
22 think of arms, I'm thinking of a gun.
23 Q. Okay. So if you -- did you ever do any
24 type of patrol work on the streets?
25 A. Yes.

<p style="text-align: right;">22</p> <p>1 Q. Okay. So if you saw me on the streets and</p> <p>2 I had a little clip where you could see a knife in</p> <p>3 my pocket, would you consider me armed at that</p> <p>4 point, if I have just a knife in my pocket?</p> <p>5 A. If it's in your pocket? No.</p> <p>6 Q. Okay. Why is that?</p> <p>7 A. Because it's in your pocket.</p> <p>8 Q. Okay.</p> <p>9 A. And it depends on the circumstances that</p> <p>10 I'm dealing with.</p> <p>11 Q. Okay. That's a good point. So what's the</p> <p>12 most typical situation where you would go to talk to</p> <p>13 someone and maybe see -- you know, to arrest them or</p> <p>14 something like that?</p> <p>15 A. If we're going to arrest them, then we'd</p> <p>16 be concerned about that.</p> <p>17 Q. Okay. So let's pretend that you're going</p> <p>18 to arrest me, and you see that I've got something in</p> <p>19 my pocket that you believe is a knife. Would you</p> <p>20 consider me armed at that point?</p> <p>21 A. Yeah.</p> <p>22 Q. Okay. And let's say that afterwards, you</p> <p>23 frisk me and all you find is a knife. Would I be</p> <p>24 considered armed with a knife at that point?</p> <p>25 A. Once I take it away from you, you're not.</p>	<p style="text-align: right;">24</p> <p>1 duty?</p> <p>2 A. Many years ago. Over 25 years, maybe.</p> <p>3 Q. Okay. So what year would that be, like --</p> <p>4 '90</p> <p>5 A. I've been in the department 34 years.</p> <p>6 I've moved from different various sections back and</p> <p>7 forth within the department. So I was in patrol</p> <p>8 when I first graduated from the academy in 1985.</p> <p>9 And then from there, I moved in and out with</p> <p>10 department patrol units until I got promoted to</p> <p>11 Sergeant.</p> <p>12 Q. Okay. And this was all in Honolulu --</p> <p>13 City and County of Honolulu?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. Would you agree with me that --</p> <p>16 talking about just a regular knife here -- is</p> <p>17 designed to be used by a single person, either for</p> <p>18 self defense or to attack?</p> <p>19 A. I'm not sure I understand the question. A</p> <p>20 knife is just a tool. You can use it to cut meat,</p> <p>21 if you wanted to.</p> <p>22 Q. Okay. Could I also use it to defend</p> <p>23 myself with?</p> <p>24 A. Yeah.</p> <p>25 Q. And could I also use it to attack someone</p>
<p style="text-align: right;">23</p> <p>1 Q. Well, of course not, once you take it away</p> <p>2 from me. But if I was to have that knife on my</p> <p>3 person, when you did your pat down or frisk or</p> <p>4 whatever, you would --</p> <p>5 A. We call that a SILA, Search Incident to</p> <p>6 Lawful Arrest.</p> <p>7 Q. Okay.</p> <p>8 A. And if I felt a knife, I would remove it</p> <p>9 from you.</p> <p>10 Q. Okay.</p> <p>11 A. And then once I remove it from you, it's</p> <p>12 no longer a danger to me.</p> <p>13 Q. So you would disarm me?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. And we're not talking about</p> <p>16 firearms or anything. Same thing, if I had like a -</p> <p>17 - are you familiar with a collapsable baton, like an</p> <p>18 ASP?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. If I had an ASP in my pocket, would</p> <p>21 you consider that to be armed as well, if you were</p> <p>22 searching incident to lawful arrest?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. Just give me one second here.</p> <p>25 How long ago were you on -- was it patrol</p>	<p style="text-align: right;">25</p> <p>1 with?</p> <p>2 A. Yes, you can.</p> <p>3 Q. Okay. And the same is true for a</p> <p>4 butterfly knife, is it not?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. Do you carry -- or let me rephrase</p> <p>7 that. When you were not the lieutenant of record,</p> <p>8 but when you were -- before that, did you ever carry</p> <p>9 any type of knife as part of your duty belt or kit</p> <p>10 that you carried?</p> <p>11 A. No.</p> <p>12 Q. Ever -- even on patrol, never carried a</p> <p>13 knife?</p> <p>14 A. No.</p> <p>15 Q. Do you know if other law enforcement in</p> <p>16 this City and County of Honolulu carry any type of</p> <p>17 either fixed blade or folding blade knife?</p> <p>18 A. Some do.</p> <p>19 Q. Okay. Do you know, typically, what those</p> <p>20 officers carry? And if you to don't know, it's</p> <p>21 okay?</p> <p>22 A. I really don't know, but I know some do.</p> <p>23 Usually it's just a folding knife.</p> <p>24 Q. Okay. Do you have any knowledge --</p> <p>25 personal knowledge of why they would carry that?</p>

26

28

1 A. I haven't had a discussion with anybody.
 2 Q. Okay. That's fair. Are you familiar with
 3 the history of the balisong knife?
 4 A. Generally.
 5 Q. Okay. What's your general understanding
 6 of the history?
 7 A. It was created in the Philippines.
 8 Q. Okay.
 9 A. And it's a very popular knife over there.
 10 Q. Okay. Is there like a cultural reason for
 11 that, do you know?
 12 A. I don't know.
 13 Q. Okay. So your understanding is it was
 14 created by the Filipinos?
 15 A. In the Philippines, yes.
 16 Q. In the Philippines, I'm sorry. Is there a
 17 large Filipino population in Hawaii?
 18 A. Fairly.
 19 Q. Do you know percentage wise?
 20 A. I would have no idea.
 21 Q. Okay. I just have one -- I say one last,
 22 but it's never one last -- just a couple more
 23 questions. If you, being a police officer, saw me -
 24 - well, let me ask you this. Are you familiar with
 25 the gun laws in Hawaii?

1 MR. STAMBOULIEH: I don't have any follow
 2 up -- no further questions. So we're good.
 3 THE REPORTER: Mr. Stamboulieh?
 4 MR. STAMBOULIEH: Stamboulieh, close
 5 enough.
 6 MR. BECK: I've worked with him for five
 7 years. I've never once seen a person get it right on
 8 the first try.
 9 MR. STAMBOULIEH: And if you did get it
 10 right, I would correct you and I would say it
 11 differently. I did it during law school. It was
 12 funny to me only.
 13 THE REPORTER: Are you wanting the
 14 original of this transcript?
 15 MR. STAMBOULIEH: Did he want to read and
 16 sign?
 17 MR. AKAMINE: Yes. Why don't you send it
 18 over to me?
 19 MR. STAMBOULIEH: Yeah, send me the bill.
 20 THE REPORTER: Okay. Perfect. Were you
 21 wanting a copy, anything like that?
 22 MR. STAMBOULIEH: Can I have an etran?
 23 THE REPORTER: Yes.
 24 (Whereupon, the deposition was concluded
 25 at 12:26 p.m.)

27

29

1 A. Yes.
 2 Q. Okay. I'm from out of state, right? I'm
 3 from Mississippi. I live in Mississippi. I'm not
 4 from here. I couldn't carry a gun around Hawaii and
 5 walk around, correct?
 6 A. Not unless you have a permit from the
 7 chief of police.
 8 Q. Okay. Let's assume I don't have a permit,
 9 because I don't. I'm walking down the street and I
 10 have a gun on my hip. You, as a police officer,
 11 would that make you uncomfortable?
 12 A. Yeah, you're violating the law.
 13 Q. Okay. Let's take this -- you see me
 14 walking down the street, and you see a little clip
 15 from the knife. It's a regular folding knife in my
 16 pocket. Would that make you as nervous as if you
 17 saw me with a gun on my hip?
 18 A. No.
 19 Q. Okay. Would you agree with me that a
 20 knife is less dangerous than a handgun?
 21 A. Yes.
 22 Q. Okay.
 23 MR. STAMBOULIEH: I think that's it. Do
 24 you have any other questions?
 25 MR. BECK: I don't. Thank you.

1 CERTIFICATE
 2
 3 I, Melissa Murray, do hereby certify that I reported
 4 all proceedings adduced in the foregoing matter and that
 5 the foregoing transcript pages constitutes a full, true,
 6 and accurate record of said proceedings to the best of
 7 my ability.
 8
 9 I further certify that I am neither related to
 10 counsel or any part to the proceedings nor have any
 11 interest in the outcome of the proceedings.
 12
 13 IN WITNESS WHEREOF, I have hereunto set my hand this
 14 18th day of November, 2019.
 15
 16
 17
 18
 19
 20 /S/ Melissa Murray
 21
 22
 23
 24
 25

<div style="text-align: right;">30</div> <p>1 Date: November 18, 2019 Assignment #: 32180-1</p> <p>2 Attorney: Ryan Akamine, Esquire</p> <p>3 Deponent: Robin Nagamine</p> <p>4 Case: Teter & Grell vs. Connors & Cummings</p> <p>5</p> <p>6 ATTORNEY - NO TRANSCRIPT ORDERED: Signature of your</p> <p>7 client is required. It will be necessary for you to call</p> <p>8 our offices and arrange for an appointment for your client</p> <p>9 to come in to read and sign their transcript.</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22 CC: Naegeli Deposition & Trial</p> <p>23 Stephen Stamboulieh, Esquire</p> <p>24</p> <p>25</p>	<div style="text-align: right;">32</div> <p>1 DECLARATION</p> <p>2 Deposition of: Robin Nagamine Date: 10/28/19</p> <p>3 Regarding: Teter & Grell vs. Connors & Cummings</p> <p>4 Reporter: Murray/Fiedler</p> <p>5 _____</p> <p>6</p> <p>7 I declare under penalty of perjury the following to</p> <p>8 be true:</p> <p>9</p> <p>10 I have read my deposition and the same is true and</p> <p>11 accurate save and except for any corrections as made</p> <p>12 by me on the Correction Page herein.</p> <p>13</p> <p>14 Signed at _____,</p> <p>15 on the _____ day of _____, 2019.</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24 Signature _____</p> <p>25 Robin Nagamine</p>
<div style="text-align: right;">31</div> <p>1 CORRECTION SHEET</p> <p>2 Deposition of: Robin Nagamine Date: 10/28/19</p> <p>3 Regarding: Teter & Grell vs. Connors & Cummings</p> <p>4 Reporter: Murray/Fiedler</p> <p>5 _____</p> <p>6 Please make all corrections, changes or clarifications</p> <p>7 to your testimony on this sheet, showing page and line</p> <p>8 number. If there are no changes, write "none" across</p> <p>9 the page. Sign this sheet on the line provided.</p> <p>10 Page Line Reason for Change</p> <p>11 _____</p> <p>12 _____</p> <p>13 _____</p> <p>14 _____</p> <p>15 _____</p> <p>16 _____</p> <p>17 _____</p> <p>18 _____</p> <p>19 _____</p> <p>20 _____</p> <p>21 _____</p> <p>22 _____</p> <p>23 _____</p> <p>24 Signature _____</p> <p>25 Robin Nagamine</p>	Empty space for corrections

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